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Law in the Liberal Arts - Law and Values – A French View

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Law and Values—A French View

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I SHOULD LIKE TO BEGIN with a brief look at the title of my report: "Law and Values—A French View." Let me take the second part first.

The organizers of our conference wanted an echo to be heard here of the thought of the other side of the Atlantic, of continental Europe, and among the countries of continental Europe their choice fell upon France. Personally I am very happy for it.

However, the task of representing France, or worse still the continent, is a bit heavy for my shoulders.

French I am—you have already noticed it! I am afraid that my poor English will make it difficult for you to understand me. But despite my Frenchness, I cannot pretend to *represent* continental European juridical thought, nor even French juridical thought. As you know, theoretic studies, studies in the *philosophy of law*, abound in Europe. It is impossible for a single person to represent all these contradictory doctrines.

My whole ambition, then, is simply to represent one sector of the European doctrines. To sum up my position: Perhaps because I am an historian I find it useful to know the ancient doctrines, including the doctrines of the Greeks and of the Middle Ages; I am not content with collecting a lot of current opinions. I know that the progress of physical sciences and techniques is gigantic; I am aware of the atomic developments and the giant planes and the television all around us. But it is much more dubious that there has been any true progress in philosophy, especially in the philosophy of law, since the Greeks. Or, if you prefer, I do not believe that progress can be achieved un-

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less we use the help of ancient teachings. Well, that is a commonplace; please forgive me for making it.

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Now I'd like to turn to the first and most important part of my title: "Law and Values." I must confess that these are three terrible words for me.

First of all, does your Anglo-Saxon word *law* mean the same thing as the French word *droit*, the German *Recht*, the Italian *diritto*, or the Latin *jus*? I am afraid that it does not. You Anglo-Saxons and we Europeans have very different types of law, and this is another reason for me to fear that I shall be obscure for you.

But the most difficult word of all is this word *and*. It is a dangerous word. What sort of *relationship* do you want me to find between law and values? I racked my brain for a long time to try to understand my subject.

Is it possible that anyone could doubt that there is a relationship between law and the values of common life? No, not seriously. There are legal technicians who perform their task like machines and who do not consider what they are serving. But anyone who thinks just a little perceives that juridical activity serves all kinds of values, serves liberty, serves the common peace, etc., and that it protects all these values.

And that *everyone* is concerned with law. If you enjoy the liberty to travel about, to speak your opinion, to gain wealth by your work—if, on the contrary, you are now in a state of misery—it is due to the laws of your country; things would not be the same in other juridical regimes. We historians of law, who compare the laws of diverse societies, know this fact well. The choice of values of a society is embodied in its laws.

I think that these truths have no need of demonstration.

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And so I concluded that my subject might be conceived in the following way:

What is the end of juridical activity? What are the values that law serves? Or better, what is the proper specific value of law?

I think this question is an important one because you cannot seriously define the proper domains of law, as compared to those of political economy, moral science, etc., unless you reflect a little about the aim of law. If we want to examine the programs, the organization, and the sphere of influence of legal teaching, legal studies, I think we must first reflect upon the aims, the values of law.

Unfortunately this question is also a very philosophical one. It is the first question of what we call the philosophy of law and what you call jurisprudence. It is a typical philosophical question because the answer to it really depends on general philosophy and I think on metaphysics.

In Europe you Americans have the reputation—true or not, I do not know; they say many things about Americans in the world that are not true—of disliking metaphysics. I am sorry, but for my part I am convinced that if we think that we can dispense ourselves from metaphysics, it is only that we are servilely and blindly following the conclusions of a single school of metaphysics.

In my opinion there are chiefly two kinds of philosophies of the value of law. The first I call the nominalist philosophy, and this is the most modern, in a certain sense of the word. The second I call the classical philosophy. It is more ancient and I shall look for it in the juridical philosophies of Aristotle and St. Thomas. But I find it tends to appear again in many contemporary doctrines. I should like to compare these two sorts of philosophies of the value of law—and to try to choose between them.

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I. Let us begin, then, by considering (this will be a critical consideration) the answers offered to our problem by nominalism, or, if you prefer, by modern thought, if you let me take this word "modern" in the French sense. In France when we speak of modern thought, we mean the thought that is derived from the 16th and 17th centuries. We still depend on this philosophy. We are educated under its influence. It dominates our thinking.

I do not like the theory of juridical values that has come from *modern* philosophy in this French sense of the word. The reason for my doubt is this: most of the philosophers of the modern period, even if they have written on law, have had very little practical knowledge of law.

This is still true today, at least in Europe. Our professors or our students of philosophy often have some training in mathematics, in the experimental sciences, in psychology, occasionally in medicine, sometimes in sociology, in political science, in religion, and in moral science: no one is completely ignorant of moral problems. But they hardly ever have any training in law. For example, the most famous, such as Husserl, Heidegger, Sartre, do not seem to have had any experience in law. (So I am a little disturbed when I see some of our colleagues intent upon drawing *juridical* applications from these philosophies.)

But the same observation could have been made apropos of the great thinkers of the 16th to the 18th centuries.

Well, this modern philosophy was built up under the empire of *nominalism*. We can say that modern thought—and this is especially true of Anglo-Saxon thought, which is still developing this way today—developed along the way opened up by William of Occam. founder in the 14th century of the *via moderna* (from which we get the word "modern"), that is, of nominalism.

And to summarize: Nominalism, as you know, attributes reality only to

individuals—John or James—and not to universals or to groups, such as humanity, the state, the city, which are only conceptual instruments of our minds.

As for values, the result of this philosophy is a tendency to recognize individuals or at least singular beings as the only possible support or subjects of values. Because only these singular beings are real; therefore only to them can a value be *definitively* attached. Values will be, then, the objects of *interest* of individuals.

This is the logical consequence of nominalism. If, for example, the family is not a reality, there is no sense in looking for the good, the value, of the family. But in the final analysis we look for the good of John, of Mary, and of their different children. These we can call individual values. To put it more generally: Nominalism knows only singular values.

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But this will appear more clearly if we examine the catalog of values that the modern philosophies have drawn up in our domain and proposed to juridical thought. We see first that there are diverse ways of conceiving of the good of individuals; from this point of view you can already distinguish a wide assortment of juridical values.

The good of the individual can be taken to be the moral value, the moral religious value of the individual (for example, in the doctrine of Calvin, when he wrote about law). But more often it was taken to be his temporal happiness; a happiness that has often been conceived as chiefly material. Instead of seeking the *virtue* of the individual, his material *well being* was considered to be the end of law. This is the tendency of the great English school of the 18th and 19th centuries, of Hobbes, of Locke, of Hume, of Bentham, whose ideas have spread widely in France and over the whole continent—and I think even more over America.

You all know that in Bentham's thought the end of juridical activity (in the broad sense) is the happiness of the individual; the happiness defined, according to Bentham, by the criterion of *pleasure*. The objective, at least of *legislation*, is then, for Bentham, the greatest possible pleasure for the greatest possible number of individuals.

Or, instead of insisting upon man's economic well-being and upon his pleasure, you can put the accent upon his *liberty*, conceived not so much as the condition of his pleasure but as a condition of his *moral dignity*, according to the philosophy of Kant. Or you can stress the development of his being and of his *power* after the fashion of Nietzsche.

Or again you can seek—with another school—the *future* goods of individuals, that perfect liberty, which it is impossible to give men at the present time, but which one hopes at least to give to future generations. This is

Marx's position, on a way opened up by Kant. It ranks in the first place the value of progress, in view of the *future* generations of individuals.

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And now I should like to note that I don't think it makes much difference that many thinkers have made a place for the interests of *corporations* alongside of the interests of individuals. We know that strictly individualist positions have not been tenable for a long time. And that alongside of the values attached to the individual, a place has been made for the interest of collections of individuals: the interest of the social class, or of the enterprise, or of the state (which had first been confused with the service of the person of the king). Our values will be the *wealth*, or the *power*, or the *independence* of a *group*. We all know that this tendency has been carried very far—in Marxism, for example—or among certain sociologists—or in the thought of the German National Socialist jurists. The task of law for a German National Socialist theorist of law was to serve the power of the German community.

However, modern thought conceives of these collectivities as fictitious persons or "moral persons" as we say in French law. This does not get us out of nominalism. In the last analysis, law is still at the service of *interests* and of *particular interests*, whether these interests be of the state, of the social class, or of the enterprise—or of flesh and blood men.

There you have a summary list of the ends that modern thought proposes to law. This list is very incomplete—extremely incomplete. It is partial, even a bit of a caricature. Even in the 17th and 18th centuries it is very certain that no serious theorist of law was able to evade the fact that the objective of law was more complex; that law had, as they say—but the term is very confused—a social character; that its task was *not* to serve the interest of *one* individual or of *one* social body, but, as Bentham says, to serve the interest of *all* individuals or of the greatest number possible of them.

It is also certain that many legal theorists did not fail to mention *justice* in the catalog of juridical values: we shall come back to it in a moment. However, in the framework of nominalism they could not give justice much consistency. Most often they reduced it to a *form* empty of content, to a sort of vague or remote ideal. And they could give it no more than a secondary place, a place *among* other values.

Well, if I wanted to draw a complete picture of the values that modern juridical thought proposes to juridical art, we would be here till midnight! I just wanted to point out the *principal values that a nominalist inspired vision of the world leads to*: those values that recent legal philosophers invite us to choose from or to combine: security, liberty, well-being of individuals or of groups.

Before leaving this first point, allow me a few words of discussion.

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I do not like this way of describing the values of law:

1) It seems to me a false description, a false analysis of the objectives of juridical activity. It proposes that we serve the particular interests of individuals or of groups, or at the most a combination of particular interests.

I do not think that this is a true description of the end of the activity of the jurist. Perhaps the description fits some lawyers, but it does not fit the barrister. Nor is it correct for the judge, nor for the legislator who guides the judge, nor for juridical doctrine and the legal theorist that also guide the judge. For example, when a judge settles a case concerning the custody of children —in connection with a divorce—he is not really at the service of the interest of the child (this is the function of the social worker), nor at the service of the interest of the father or the mother. His aim, the value he serves, is something different.

2) This incorrect description of the objectives of law—which was thrust upon jurists by modern philosophy, a philosophy of non-jurists—has brought about certain *deviations* in juridical practice.

It tends to make the jurist *partial*, the servant of particular interests or of particular values, which seems to me to be contrary to his vocation.

How disastrous it was, for example, for Locke and Bentham to have made law the servant of the interest of "individuals," who are in fact often only the rich property owners!

Or another example: in French criminal law there is a movement called "social defense"; it proposes to reform penal law, on the premise that the objective of penal law is the defense of *public tranquility*. Well, I say again: The aim of penal law is something different. The judge neither pursues the interest of social tranquility nor that of the culprit. Whose interest does he pursue then?

You will answer: The interest of *all* men; *all* the interests of all men: this is his aim.

I am afraid that it is impossible to pursue at once the infinite interests of *all* men. This aim is too vast to be realized! If you take this doctrine as your guide, you risk arriving at juridical formulas that are completely impracticable—formulas such as the solemn declaration of the rights of man made by the United Nations. You wind up proclaiming that *all* men have a "*right* to health, to culture, and to ease." This is a marvelous ideal; but I do not think this sort of talk should please jurists. For, alas! it is impossible in the present or in the near future to give all men culture, health, even enough bread. These are *false credits*, which cannot be paid and which risk giving rise to illusory dreams. This has nothing to do with law.

When you give law the objective of serving particular interests, you either make the judge *partial*, or you sink into *utopia*.

3) My third remark concerns the *place that is made for law in education,* which is one of the objects of our conference.

I do not think that this place can be very great if you consider the end of law to be the service of the interests of individuals or of groups: whether these interests be the moral value of the individual, or his economic wealth, or the power of the state. For these values principally depend on other disciplines: moral philosophy, economics, the political sciences.

In this philosophy, law plays only an auxiliary and a rather sordid role. It is simply an instrument of *sanction* in the service of morality or of state politics—or else it is given the task of protecting the *security* of individual riches. The jurist is only the servant or policeman of the moralist, the economist, or the politician. Law is nothing but a *technique.* It consists in a certain number of tools, which are laws, charters, or other juridical rules, and which are used in the service of economics, morality, or politics.

Of course there is a place for the specialized study of these tools, just as there is a place for the study of the instruments and recipes of agriculture, subordinate to the *science* of economics. There is a place for a *technology* and for technical schools of law. But in them one risks shutting oneself up in this technique and forgetting the ends, the values that law serves—values that are studied theoretically *elsewhere.*

And if law schools are like this, why would they interest the general public? The public has no more need to understand this specialized technique than I have to know the latest specialized techniques of agricultural production.

(True, we might recommend that our fellow citizens study law because of the quality of juridical reasoning, because of its precision, because of the certitude of its method, etc. Frankly, from this point of view, I prefer mathematics.)

If our current legal writings do not interest many readers outside of jurists properly so-called, you see that it is perhaps our own fault. Modern philosophy has deceived us in its analysis of the objective of law and of the content of legal studies. But there is another way of conceiving of law and legal studies to which I shall now turn.

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II. Now I invite you to a quick trip into the past, to the doctrines of Aristotle and of St. Thomas Aquinas, doctrines that I call *classical.* For a long time they reigned over the thought of jurists: over Roman jurists and over the learned jurists of the European Middle Ages. And truly they have never been entirely forgotten in Europe, but they have been combined in a more or less confused way with the modern philosophies of which I have just spoken. Moreover, there is a remarkable likeness between these ancient doctrines and some of our most recent thinking.

Personally, I repeat, I am very fond of these classical philosophies, as philosophies of law. It seems to me that Aristotle and St. Thomas Aquinas have analyzed juridical activity very well; they have understood its meaning and its values. Perhaps it was easier to do this in the microcosm of an ancient city or a medieval seignory. In a democratic Greek city like Athens especially, every citizen was involved in the administration of justice and had a chance to be judge, whereas in our great modern states the administration of justice is a very specialized affair, and the general public knows nothing about it. As I said, Descartes, Hume, or Kant did not know much about law. But it was quite different with Socrates, Plato, or Aristotle.

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What answer does the philosophy that I call classical—the philosophy of Aristotle and St. Thomas—offer to our problem of the values that preside over law?

An extremely simple answer: that law is not at the service of particular interests, whether they be of individuals, of the state, or of social class. Classical philosophy said: Law is at the service of *justice*: "the *just*" is the value of law. This conception seems to have been generally accepted in antiquity, as the languages of Greece and Rome testify. In Greek there is only one word, the word *dikaion*, to designate law and just. And the same thing is nearly true in Latin: *jus* is almost the same word as *justum*, just

So we have to speak a bit about justice. The word alone, I confess, certainly does not give us much light. Because (under the influence of modern philosophy) we have completely lost the ancient sense of this word. Generally, justice has become something very utopian for us: an ideal in the future, an idyllic state of things where all men would be prefectly free and equal, where all the interests of all men would be equally realized—because we tend to think of everything in terms of these interests. Justice is a pole of political action, but nothing that can be realized in the present. This common idea of justice is very vague.

Justice was nothing like this for Aristole and St. Thomas. It was not at all idealistic. We need to rediscover the *content* that this notion had in classical philosophy.

Well, I take out my Aristotle: Book V of the *Nicomachean Ethics*. It deals with justice precisely and it used to be famous among jurists. In this text Aristotle gives us a very realistic and very positive study of the sense of the word justice. I have heard it compared to the most current studies of the phenomenologists.

(It is a pity that this text is almost unknown today by most jurists. Of course, not by all. After I had denounced this ignorance in an article, my colleague from Manchester, Mr. Wortley, sent me the program of required

reading for all the students at Manchester: on it was Book V of the *Nichomachean Ethics.)*

In the strictest sense, what St. Thomas, following Aristotle, calls *particular justice* is an effort to realize, in concrete circumstances, in the present, in the life of such-and-such a time and such-and-such a society, a *fair distribution* among citizens of goods, of honors, of responsibilities—a fair distribution, which is however necessarily unequal in the present life. As Aristotle puts it, a proportional distribution.

In scholastic language, as you know, the principal kind of particular justice is what is called *distributive* justice. For example, the task of distributive justice, for a French jurist, is to try to share the powers fairly between our President and the French parliament—or in a divorce suit, to work to share equitably between the father and the mother the rights over the child and the corresponding obligations.

To try to give each one his share: *jus suum cuique tribuere,* as the Roman jurists said precisely to define the objective of the juridical profession. And in fact, the analysis of the value of justice that Aristotle gives us is simply a description of the objective of the jurist's task, and nothing else.

So we see that this objective of juridical activity is by no means to serve particular interests or particular values: for example, in a divorce case, the particular value that is the good education of the child, or the maternal love of the mother, or the financial ease of the father. The task before the jurist is, knowing all these values, to arbitrate among them, to choose among them, to put each one in its proper place.

The end of law is none of these singular and disconnected values that are the objects of particular interests. Justice, the value of law, is a sort of supervalue. Justice seems to be that value which consists in the harmonization of all other values.

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You see, I have certainly not made any great discovery! All this is childish! Yet I do not think it is really easy for us to grasp again this old notion of justice.

We live under the influence of modern thought, I mean under the influence of nominalism. (If the only realities are individuals, or social groups conceived as individuals, then the only subjects of values are individuals, or these groups conceived as fictitious persons, and every value is the object of their interest.) Somehow it is difficult for us to admit, on the contrary, that the human individual is an abstraction. We are an *ensemble,* if I may use this French word; or, as Aristotle said, man is a political animal. And secondly it is difficult for us to admit that this ensemble can also be the subject, the support of a value and that this value can consist in a harmony.

Beauty is also a value, and the subject of this value is an ensemble—whether it be a person or the cosmos. Beauty is a harmony.

The same thing is true of justice. But we cannot seem to grasp this classical notion. We cannot seem to break out of the web of nominalism.

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There is also a difficulty from the theological point of view.

It seems to me that the *Protestant Reform*, following the *Augustinian* tradition of the Middle Ages, has played the greatest part since the 16th century in dispelling the classical notion of justice. Luther and Calvin conceived of justice exclusively as the justice of the Bible, the justice of the kingdom of heaven: a perfect justice that would be characterized by the *equality* of all men and the perfect liberty of all men. They have helped to make justice a utopia that is too ideal to be realized today on this earth.

But to accept the classical notion of justice, we must, on the contrary, recognize with St. Thomas that there can be a value even in the *natural* harmony of human societies, despite the fact that the order of these societies is based on the *inequality* of men, for the distribution in question is an unequal and proportional distribution: for instance, you cannot grant the child the same number of hours to the father and to the mother once they are divorced; and despite the fact that this order is changing, since human societies are changing and historic, just like the laws of harmony in music—despite all this—there would be a value in the fair distribution of goods as it would be realized on earth.

I do not think that this difficulty is insurmountable, for in this time of Council, there are many Catholics who think more like Protestants on this point; and perhaps there are Protestants who would think more like St. Thomas.

Still, there are difficulties. It will certainly take more than an hour to recapture the classical notion of justice as the value of law.

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However, before closing, allow me a few critical remarks. But this time they will be favorable.

I repeat that this description of the objective of the juridical profession (in the broad sense) appears correct. It has the merit of not confusing the task of the judge and his auxiliaries with the task of the social worker, or with that of the policeman, or with that of the moralist; and of not confusing the office of the legislator (in drawing up laws to guide the judge) with that of the economist or the financial adviser.

Moreover, Aristotle's analysis more or less coincides with certain contemporary theories; you have recognized its kinship, for instance, with cer-

tain recent sociological doctrines. Perhaps it is almost the same thing as what they wish to signify today in a more or less confused way when they speak about "social justice," about social control, about the interest that society function well, and so on.

And, of course, it matters little to us where the analysis comes from. I love Aristotle and St. Thomas; I do not idolize them. It just seems to me that their doctrines have an interest for us because their analysis is undoubtedly more clear and more solidly founded.

And there can be a certain practical advantage in thus having a good analysis at our disposal: it can keep us from errors. I repeat, our juridical science or art has been deceived by modern legal philosophy with respect to values. For example, Bentham tells us that the objective of law is enrichment, the greatest possible pleasure: this is not our proper task. Or Calvin considers the purpose of law to be the protection of the moral value of the individual. For him, this is the reason the individual does not steal (it could also be for economic reasons); for the Decalog says: You shall not steal—even if the distribution of goods is unjust. But we also have the obligation of providing for a just distribution of goods.

I think I am laboring the obvious when I say that the great mistake of modern occidental law is, it seems to me, to have neglected this *distributive justice,* to have neglected the problem of the just division of goods among peoples—I mean among the developed and the under-developed, the colonizers and the colonized, the rich and the poor—to have neglected what we call today, more or less clearly, *social justice.* This is not the only value. There are others—power, wealth—that the occidental world has very happily cultivated. There is the moral value of the individual. But justice, as we have defined it, is the proper value of law, and a false philosophy should not lead jurists to sacrifice it. It is indeed grave for modern law to have forgotten the value of justice.

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Now I come to my conclusion, which concerns the topic of our conference: juridical education and the place of law in general education.

I think that this very simple philosophy of the value of law that I have just presented to you could help to elevate law studies, and consequently to restore them to a place of honor in general education. For in this philosophy law ceases to be a mere *technique.* It ceases to be simply a collection of *tools* designed to serve extrinsic ends, such as economic well-being, the moral value of the individual, or the power of the state. It ceases to be subordinated to economics, moral science, or political science, which have other objectives, other viewpoints upon the world. Law is itself a distinct and autonomous art: the art of seeking this special value, the value of the just.

Let me look again into the past, into the European system of juridical edu-

cation of the late Middle Ages. The medieval university was not, as you know, divided into departments, but into faculties. The faculty of law took its place beside the faculties of arts, medicine, and theology—as it still does today in Europe. It was on the same level as these other faculties, it had the same dignity, nearly the same importance, and perhaps the same amplitude. For in seeking a value, you can consider nearly all of reality from the point of view of this value. For instance, in the faculty of arts you study many diverse subjects from the point of view of the value of beauty; in the faculty of science, from the point of view of the value of truth; in the faculty of theology, from the point of view of the religious value. Each of these faculties contains an ensemble of very different subjects that are ordered in view of the specific value pursued. To take another example, in the faculty of economics you cultivate the value of wealth and you consider everything from the point of view of wealth. Or again, in the faculty of the political sciences you take the view of the power of the state, or of public tranquility, or of progress. In the very same way, in the faculty of law you can also gather together many diverse subjects, you can consider nearly all of reality from the point of view of the specific value of justice.

In the schools of the Roman jurists and of the medieval jurists (which I consider not for the purpose of slavish imitation, but for inspiration) certainly they studied positive rules; because in every country the existent positive laws are a major factor of the problem of justice. But they had a different way of studying these texts than we have today. They had a more liberal way: they studied positive laws in terms of justice, because laws are for one thing a resumé of the results of the anterior search for justice, because this search for justice is the meaning of the laws.

Furthermore, such a search requires not only the study of the rules of positive law, but also a proper study of all interests and all other values; and it requires history, and psychology, and moral philosophy, and some sociology as we now call it, some study of societies. You know, before writing his *Politics* Aristotle with his School studied more than 100 contemporary social constitutions of the diverse cities of Greece and of the Oriental empire. He believed that we draw our knowledge of the concrete content of justice, that is, of the just distribution of goods and values among men in such-and-such an historic or geographic condition, from an internal *observation* of social groups, and from a special consideration of those that appear most harmoniously organized and that can serve as models.

This was the method of natural law. I mean of the *classical* natural law of Aristotle and St. Thomas, which is not at all the same thing as—which indeed is the exact opposite of—the natural law of the moderns, or what is generally understood today by natural law. But it is too late to speak about natural law.

I suppose that you are very skeptical about the possibility of such a science of justice. You doubt that it is possible to find the concrete content of justice in a scientific way. You think that this is simply a matter of one's subjective choice. For this is the way modern philosophy has taught us to think. The effort of modern philosophy has been to deny this ancient notion of justice; to reduce it to the value of pleasure, as Hume has done, or to deform it. Well, I grant you that this science of justice is difficult and fluctuating, that it cannot be a science in the same way as mathematics or physics. But it can be a well-ordered ensemble of knowledge. To take up my comparison: It is also very difficult to understand the science of beauty and its rules also vary. *All* values are *mysterious*. But, for me, the proof that this science of justice is possible is that it has existed, and that it still exists. This was the science of the Roman jurisconsuls, and it is also the science of many modern jurists. It is only our philosophical prejudices that make us deny that such a science is possible.

Perhaps I too am utopian, but I think that our programs of legal studies could be even richer and nobler than they used to be, thanks to the steady contributions of many other sciences (because the subjects studied are often the same, only the viewpoints differ). But this would presuppose that we conceive of law not as a mere technique at the service of external values, of particular interests, but as an autonomous science, the autonomous search for the specific value of the just.

And finally, I think that if legal studies were renewed in this way, they would interest a large public. Because in the kingdom of earth nothing is perhaps so necessary as the harmonization of all other values—which is the proper task of justice and of law. If legal studies fulfilled this vocation I do not think they would leave the general public so indifferent. We know that in antiquity and in the Middle Ages they interested *all* educated men. As I said before, the great philosophers of ancient Greece, for example, were well versed in law. The same result *should* be obtained today if we would draw our inspiration from the same principle, while adapting it to the circumstances of our time.

But I have been much too long. I thank you for your patience in listening to my awkward English. I thank the organizers of this conference for giving me the pleasure of crossing the Atlantic to participate in it.